

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6959 of 2019

Arising Out of PS. Case No.-186 Year-2018 Thana- CHANDAN District- Banka

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FULESHWAR MANDAL aged about 38 year (M), s/o Basudeo Mandal
Resident of Village – Dudhela, PS Bihpur, District Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-02-2019 Heard learned counsel for the parties.

Learned counsel for the petitioner prays for and is permitted to make correction in the last paragraph of the petition.

Petitioner seeks bail in **Chandan P.S. Case No. 186 of 2018** registered for the offence punishable under Section 30(a), (g) and 32(2) of Bihar Prohibition and Excise Act, 2016.

Allegation against the petitioner is of recovery of 171 litre of foreign liquor from the Car in which he was travelling.

It has been submitted on behalf of the petitioner that the petitioner took lift on the said vehicle and he is not the owner of the vehicle. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 16.01.2019 in Criminal Miscellaneous No. 5015 of



2019. Petitioner has got no criminal antecedent and is in custody since 02.12.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Sessions Judge-II (Special Court of Excise), Banka**, in connection with **Chandan P.S. Case No. 186 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4). If the petitioner is found involved in similar nature of offence, after his release on bail, the trial court shall take steps to cancel his bail bond.

(S. Kumar, J)

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